

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

-----	:	
UNITED STATES OF AMERICA	:	
	:	CASE NO. 1:04 CR 601
Plaintiff	:	
	:	
-VS-	:	
	:	
JATANYEN WALL	:	<u>ORDER ACCEPTING PLEA AGREEMENT</u>
	:	<u>AND JUDGMENT AND NOTICE OF</u>
Defendant	:	<u>HEARING</u>
-----	:	

UNITED STATES DISTRICT JUDGE LESLEY WELLS

This case is before the Court on a Report and Recommendation filed by United States Magistrate Judge Patricia A. Hemann regarding the change of plea hearing and plea agreement of Jatanyen Wall which was referred to the Magistrate Judge with the consent of the parties.

On 8 December 2004, the government filed a three-count indictment against Jatanyen Wall for felon-in-possession of a firearm in violation of 18 U.S.C. § 922(g)(1) and possession with intent to distribute crack cocaine in violation of 18 U.S.C. § 841(a)(1) and (b)(1)(A). On 27 January 2005, a hearing was held in which Jatanyen Wall entered a plea of not guilty before Magistrate Judge Patricia A. Hemann. On 24 August 2005, Magistrate Judge Hemann received Jatanyen Wall's plea of guilty and issued a Report and Recommendation ("R&R") concerning whether the plea should be accepted and a finding of guilty entered.

Neither party submitted objections to the Magistrate Judge's R&R in the ten days after it was issued.

On de novo review of the record, the Magistrate Judge's R&R is adopted. Jatanyen Wall is found to be competent to enter a plea. He understands his constitutional rights. He is aware of the charges and of the consequences of entering a plea. There is an adequate factual basis for the plea. The Court finds the plea was entered knowingly, intelligently, and voluntarily. The plea agreement is approved.

Therefore, Jatanyen Wall is adjudged guilty of Counts One, Two, and Three in violation of 18 U.S.C. § 922(g)(1), and 18 U.S.C. § 841(a)(1) and (b)(1)(A).

Sentencing will be on 17 November 2005 at 2:00 p.m. in Courtroom 18-A, 18th Floor, the United States District Court, 801 West Superior Avenue, Cleveland, Ohio.

IT IS SO ORDERED.

/s/Lesley Wells
UNITED STATES DISTRICT JUDGE

Dated: 4 October 2005